

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 GABRIEL ALLEN ECKARD,

11 Plaintiff,

12 v.

ASEN DESHEV, *et al.*,

Defendants.

CASE NO. C18-1053-JCC

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable John C.  
16 Coughenour, United States District Judge:

17 This matter comes before the Court on Plaintiff's motion for summary judgment (Dkt.  
18 No. 37). The Court previously granted Defendants' motion for summary judgment and dismissed  
19 Plaintiff's complaint with prejudice. (Dkt. Nos. 32, 33.) Plaintiff has appealed that decision.  
20 (Dkt. No. 34.) Plaintiff's present motion for summary judgment was filed after his appeal in this  
21 case, and names different defendants and causes of action than his underlying complaint.  
22 (*Compare* Dkt. No. 6, *with* Dkt. No. 37). It appears that Plaintiff's motion for summary judgment  
23 should have been filed in a different case Plaintiff has in this district. *See Eckard v. Thomas, et*  
24 *al.*, Case No. C19-0104-RSM, Dkt. No. 5 (W.D. Wash. 2019). Therefore, the Clerk is directed to  
25 STRIKE Plaintiff's pending motion for summary judgment. (Dkt. No. 37.) Plaintiff may refile  
26 his motion for summary judgment under the appropriate case number.

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2 DATED this 28th day of May 2019.  
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William M. McCool  
Clerk of Court

s/Tomas Hernandez  
Deputy Clerk